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3 UNITED STATES DISTRICT COURT

## 4 DISTRICT OF NEVADA

5 SAID ELMAJZOUN,

Case No. 3:15-cv-00624-ART-CSD

6 v.

Petitioner,

ORDER

7 QUENTIN BYRNE, et al.,

8 Respondents.

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10 Petitioner Said Elmajzoub initiated this federal habeas action on December  
11 28, 2015. (ECF No. 1.) This Court granted Elmajzoub's motion for appointment  
12 of counsel and appointed the Federal Public Defender to represent Elmajzoub.  
13 (ECF Nos. 8.) This Court then granted Elmajzoub's unopposed motion for a stay  
14 and administratively closed this case. (ECF No. 18.) In 2017, this Court granted  
15 the Federal Public Defender's request to withdraw from this case and appointed  
16 Mark Eibert, Esq. to represent Elmajzoub. (ECF Nos. 22, 23.) On February 3,  
17 2025, this Court granted Mr. Eibert's request to withdraw as counsel due to his  
18 retirement and appointed Jean J. Schwartzer, Esq. to represent Elmajzoub. (ECF  
19 No. 45.)

20 Elmajzoub has now moved for Ms. Schwartzer to be replaced, explaining  
21 that she has not communicated with him at all since having been appointed.  
22 (ECF No. 46.) Ms. Schwartzer responded, explaining that (1) Elmajzoub  
23 apparently never received the letter she previously sent to him, (2) she has since  
24 sent a certified letter to Elmajzoub, (3) she will be requesting an attorney call with  
25 Elmajzoub soon, (4) she has conferred with Elmajzoub's prior federal habeas  
26 counsel, his state habeas counsel, and his state appellate habeas counsel, (5) she  
27 has commenced reviewing Elmajzoub's file for this case, and (6) she has been  
28 monitoring Elmajzoub's state habeas proceedings to ensure that she will timely

1 move to reopen this action at the appropriate time. (ECF No. 47.) Given Ms.  
2 Schwartzer's representations, this Court denies Elmajzoub's motion.

3 It is therefore ordered that the motion [ECF No. 46] is denied.

4 DATED THIS 2nd day of April 2025.

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7 ANNE R. TRAUM  
8 UNITED STATES DISTRICT JUDGE  
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